

U.S. Patent Application Serial No. **10/813,085**
Response filed December 12, 2006
Reply to OA dated July 13, 2006

REMARKS

Claims 1-15 are pending in this application, with claims 13-15 withdrawn from consideration. An amendment is proposed canceling claim 6 without prejudice or disclaimer and amending claim 4. Upon entry of this amendment, claims 1-5 and 11-15 will be pending, with claims 13-15 withdrawn from consideration.

The Applicant respectfully submits that no new matter has been added. Claim 4 has been amended to incorporate the limitation of canceled claim 6.

It is believed that this Amendment is fully responsive to the Office Action dated **July 13, 2006**.

Claim 4 is rejected under 35 U.S.C. §102(e) as being anticipated by Yoshida et al. (PN 6,897,495), of record). (Office Action paragraph no. 1)

The rejection of claim 4 is overcome by the amendment to claim 4. The Examiner has indicated that claim 6 would be allowable if rewritten in independent form. The amendment to claim 4 incorporates the limitation of claim 6, and claim 4, as amended, has the scope of claim 6 before the amendment.

Claims 5-8 are objected to as being dependent upon a rejected base claim. Claims 1-3 and 9-12 are allowed. (Office action paragraphs no. 2-3)

U.S. Patent Application Serial No. 10/813,085
Response filed December 12, 2006
Reply to OA dated July 13, 2006

The objection of claim 6 is moot in view of the cancellation of this claim without prejudice or disclaimer. The objection to claims 5, 7 and 8 is overcome by the amendment to claim 4, which is discussed above.

Reconsideration of the rejections and objections is respectfully requested.

If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact the Applicant's undersigned agent at the telephone number indicated below to arrange for an interview to expedite the disposition of this case.

In the event that this paper is not timely filed, the Applicant respectfully petitions for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper, to Deposit Account No. 01-2340.

Respectfully submitted,

ARMSTRONG, KRATZ, QUINTOS,
HANSON & BROOKS, LLP



Daniel A. Geselowitz, Ph.D.

Agent for Applicant

Reg. No. 42,573

DAG/bh
Atty. Docket No. 040153
Suite 1000
1725 K Street, N.W.
Washington, D.C. 20006
(202) 659-2930



23850

PATENT TRADEMARK OFFICE